

CLERK OF THE BOARD

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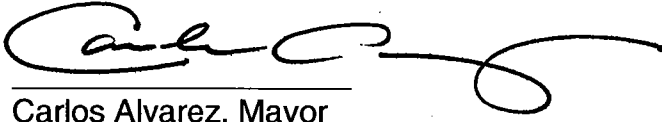
CLERK OF THE BOARD
DATE AND TIME RECORDER STAMP

CLERK, MIAMI-DADE COUNTY COURTS
MIAMI COUNTY, FLORIDA

**OFFICE OF THE MAYOR
MIAMI-DADE COUNTY, FLORIDA**

VETO AND VETO MESSAGE

To: Honorable Chairperson and Members
Board of County Commissioners
Miami-Dade County, Florida

From: 
Carlos Alvarez, Mayor
Miami-Dade County, Florida

Pursuant to the authority vested in me under the provisions of Section 1.10.A of the Miami-Dade County Home Rule Charter, I hereby veto Resolution number R-1307-05 adopted at the November 30, 2005, Board of County Commissioners Meeting:

RESOLUTION PERTAINING TO APRIL 2005 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; INSTRUCTING THE COUNTY MANAGER WHETHER OR NOT TO TRANSMIT APPLICATIONS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; REQUESTING FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS TO REVIEW APPLICATIONS; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Department of Planning & Zoning)

Veto Message

On Wednesday, November 30, 2005 the Board of County Commissioners (Board) approved Resolution number R-1307-05 and in doing so transmitted to the Florida Department of Community Affairs (DCA) for review seventeen applications and three text amendments that would amend the Miami-Dade County's Comprehensive Development Master Plan (CDMP), nine of which would extend the Urban Development Boundary (UDB). The UDB is the area where urban development is permissible through the year 2005 from areas where it is prohibited. This is different from the Urban Expansion Area (UAE),

line that indicates where current projections foresee a possibility of warranted expansion of the UDB some time between the years 2005 and 2015.

I have said in the past that I would not support any measures that sought to unnecessarily and prematurely move the UDB, and so I am exercising my authority as Mayor to veto this resolution. As this resolution is currently packaged there is no differentiation between the more contentious UDB relevant issues and more benign standard applications. It is unfortunate that efforts were not made to address these matters separately, however as I have already stated, I cannot in good faith stand by while the future of this great county is jeopardized.

The decision to move the UDB is one with far reaching implications whose affects are not confined to the residents of the districts in which the boundary changes are proposed. Though these applications called for expansion of the UDB within only four County Commission districts, we would be remiss to treat them as though they did not affect county residents from Miami Gardens to Florida City. If Miami-Dade moves outside the UDB it will be straining already taxed resources. We are all aware of our traffic woes and expansion would only add to the problem by increasing commuters along overused roadways. Police and Fire rescue services would be spread over a greater area, resulting in longer response times resulting from greater distances and road congestion. As noted during the CDMP proceedings, expansion would render the School Board's current five year capital improvement plan obsolete by requiring the construction and staffing of new schools without adequate funding.

In other words, the perils of urban sprawl touch every resident of Miami-Dade County in so many ways. Aside from the environmental concerns with sprawl there is the budgetary element involved. When development is spread out at low densities, the per-unit cost of constructing and maintaining public facilities increases. Low-density development requires more infrastructure, like roads, curbs, sewers, and water lines; and services must be delivered over a greater geographical area. The overall consequences of sprawl upon quality of life concerns cannot be ignored. To do so today would be an unfair tax we levy on the future residents of Miami-Dade County.

The transmittal of seventeen applications and three text amendments to the CDMP is a hasty move in a dangerous direction. The Board has chosen to transmit these items despite its lack of adequate deliberation, public input and relevant data. The Chairman himself repeatedly admitted the Board's failure to actively participate in Commissioner Moss's UDB workshops. This breakdown was a factor which contributed to the time shortage during the CDMP public hearings and the resulting disenfranchisement of the county residents who had taken time from their busy schedules to participate in democracy.

By choosing to adopt special item 3, Ordinance on first reading which is the preliminary step to the Boards final action expected to take place in April of 2006 the Board again has demonstrated its desire to move forward on these matters. While it asks for more input from the DCA it is neglecting its own prior request for

information. Both the Watershed Plan and The Urban Development Boundary studies, commissioned at a cost of approximately \$3.5 million to taxpayers are still pending completion. The information needed to make the right decisions for the people of Miami-Dade County can and should be found locally.

I am particularly concerned with the Board's decision to transmit these applications to the DCA without any recommendation. Without exception, staff provided the Board with a recommendation to accept or deny each of the twenty seven applications in this cycle. Nonetheless, six of the ten items affecting the UDB were transmitted to DCA without any guidance from the Board. In effect, the governing body of this county chose to abdicate its authority to the State. After the Board chose to silence the public by limiting the time allotted during the public hearing it silenced itself by failing to take a stance on the transmittal of six of UDB items. Leadership in matters like this must come from the civil servants entrusted by the people to carryout their will in every instance.

When staff recommended adoption of two applications that called for development within the UEA for industrial and commercial development, though Board approved CDMP policy found no need for expansion due to an adequate supply of industrial and commercial land into the year 2025, it was the Board's responsibility to adopt a stance. Again, the Board failed to exercise its mandate. On multiple occasions the desire for "more information" was cited as the justification for transmittal to DCA, even when the application was given a denial recommendation. However, on application twelve the Board demonstrated its ability to act without State guidance when it chose to forgo its input and flat out denied the application. Since this course of action fit in this instance, the Board's hesitancy to take decisive action on the other applications is inconsistent.

Of the amendments that could affect the UDB, one is particularly ominous. Amendment number twenty five asks to change the criteria by which the County would evaluate future applications to the CDMP. According to the CDMP, the County is required to provide for a fifteen year supply of single and multifamily housing combined based on the Evaluation Appraisal Report (EAR) conducted every 10 years. When the County evaluates applications, compliance with this requirement heavily influences the decision. Amendment twenty five would require a separate 15 year supply of single-family and multi-family housing each. It would also require that the supply be maintained yearly as opposed to according to the 10 year EAR study interval. This amendment would force rushed and reactionary development within the County.

Closing

Just how much is at risk is evidenced by the overwhelming attention this issue has drawn from municipalities, residents and organizations throughout the county. Given the overwhelming importance of this decision it would be irresponsible for us, as public servants, to take action without first establishing a comprehensive strategy for the inevitable future expansion of the county. This strategy should carefully consider sprawl and maximize options to promote development within the UDB consistent with the CDMP, taking into account the burden that is inherent to progress.

What is needed goes beyond evaluating the merits of these individual UDB amendments. It is about much more than this moment in Miami-Dade County's history. It is about our future and the legacy we leave to generations to come. We must strive to undertake the appropriate measures today that will attend to the various growing pains associated with our transformation into a major metropolitan city tomorrow.

So the Board of County Commissioners is encouraged to sustain this veto and work, using all available resources to create and adopt a comprehensive and coherent vision for the future development of Miami-Dade County. Some continue to see the task before us as the evaluation of individual applications. To continue to act with this provincial approach misses the bigger picture and forgoes the opportunity to plan for a greater tomorrow. We must accept our responsibility as leaders of the community and make the tough decisions that we have been trusted with by the residents of Miami-Dade County.